

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

RECEIVED

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DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

PROGRESSIVE AMERICAN )  
INSURANCE COMPANY, )

Plaintiff, )

vs. )

CIVIL ACTION NUMBER:

2:06cv717-ID

CAROL THORN; JOLEEN LEEA )

COLON; DALE EUGENE )

KIRKINDOLL; ELIZABETH S. )

KIRKINDOLL; THOMAS HOLT )

KIRKINDOLL; JAMES W. GRIFFIN )

SANDRA L. GRIFFIN; PATRICK A. )

BELT; CHRISTOPHER B. BELT; )

GENE STEGMAIER; ESTATE OF )

WILLIAM R. KLAUSS, a deceased )

minor; ESTATE OF CHERETY THORN )

a deceased minor; LV STABLER )

MEMORIAL HOSPITAL; DRPT LAKE )

REHABILITATION CENTER BUTLER )

COUNTY EMERGENCY MEDICAL )

SERVICES; )

Defendants. )

**TENDER**

Comes now the plaintiff, Progressive American Insurance Company ("Progressive"), pursuant to Rule 22 of the Federal Rules of Civil Procedure, and tenders its check in the amount of \$100,000 which represents its liability limits in this case. Progressive requests the court to direct the circuit clerk to place the tendered funds on deposit in an interest-bearing account, pending further orders of this court.

*R. Larry Bradford*

R. Larry Bradford, Attorney for Plaintiff,  
Progressive American Insurance Company  
Attorney Bar Code: BRA039

OF COUNSEL:

Bradford & Sears, P.C.  
2020 Canyon Road  
Birmingham, AL 35216  
(205) 871-7733

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 3 day of August 2006, served a copy of the foregoing to all attorneys of records by placing a copy of same in the United States mail, postage prepaid, and properly addressed as follows:

Sidney W, Jackson, III. Esq.  
Jackson, Foster & Graham  
P.O. Box 2225  
Mobile, AL 36652

*R. Larry Bradford*

OF COUNSEL